

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

JOEL FRANCISCO

v.

UNITED STATES OF AMERICA

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C.A. No. 04-100ML

MEMORANDUM AND ORDER

In this matter, the Petitioner, Joel Francisco filed an Application to Proceed Without Prepayment of Fees and Affidavit on May 30, 2008 (the “Application”). (Document No. 60). The Application has been referred to me for determination. 28 U.S.C. § 636(b)(1)(A); LR CV 72(a).

The Application filled out by Francisco is an out-of-date version of AO Form 240. The current version of AO Form 240 contains a “Notice to Prisoner” portion which directs an incarcerated applicant to obtain a statement certified by an “appropriate institutional officer” of “all receipts, expenditures, and balances during the last six months in your institutional accounts.”

In the Application he submitted, Francisco indicated that he is incarcerated at the “United States Penitentiary Lewisburg.” Francisco failed, however, to attach a certified statement of his institutional accounts. This Court cannot determine whether Francisco qualifies to have his Application granted in this case until the proper documentation is received and the correct AO Form 240 is filled out and returned. As stated in the Application, Francisco must submit “a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in [his] institutional accounts.”

The Clerk is directed to enclose a current copy of AO Form 240 for Francisco to complete. Francisco must file the proper documentation concerning his inmate account by **July 15, 2008** or risk having his Application denied and this matter dismissed.

So ordered.

ENTER:

BY ORDER:

/s/ Lincoln D. Almond
LINCOLN D. ALMOND
United States Magistrate Judge
June 16, 2008

/s/ Jeannine Noel
Deputy Clerk